

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*All Cases Noted on Attached Appendix*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION OF DISMISSAL WITH PREJUDICE  
PURSUANT TO NEW MEXICO SETTLEMENT AGREEMENT**

The undersigned Parties (the “Parties”) have settled the above-referenced litigation against Albertsons LLC (“Albertsons”) pursuant to the Albertsons New Mexico Settlement Agreement, executed on December 7, 2022, in which Plaintiffs – the New Mexico subdivisions listed in Appendix A – have elected to participate. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and Defendants Albertsons agree that all claims of Plaintiffs in the actions identified in Appendix A against Albertsons are dismissed with prejudice, with each party to bear its own costs.

Dated April 19, 2023

Respectfully submitted,

**ATTORNEYS FOR PLAINTIFFS**

/s/Peter J. Mougey \_\_\_\_\_

Peter J. Mougey

Jeff R. Gaddy

Levin, Papantonio, Rafferty, Proctor

Buchanan, O’Brien, Barr & Mougey, P.A.

316 S. Baylen Street, Suite 600

Pensacola, FL 32502

850-435-7068

[pmougey@levinlaw.com](mailto:pmougey@levinlaw.com)

[jgaddy@levinlaw.com](mailto:jgaddy@levinlaw.com)

/s/Jayne Conroy

Jayne Conroy  
Simmon Hanly Conroy  
112 Madison Avenue, 7th Floor  
New York, NY 10016  
(212) 784-6400  
jconroy@simmonsfirm.com

/s/Krista Baisch

Krista Baisch  
Crueger Dickinson  
4532 N Oakland Avenue  
Whitefish Bay, WI 53211  
(414) 210-3868  
kkb@cruegerdickinson.com

/s/Shayna E. Sacks

Shayna E. Sacks  
Napoli Shkolnik PLLC  
360 Lexington Ave.  
11<sup>th</sup> floor  
New York, New York 10017  
(212) 397-1000  
[ssacks@napolilaw.com](mailto:ssacks@napolilaw.com)

**ALBERTSONS LLC**

/s/Francis A. Citera

Francis A. Citera  
Greenberg Traurig LLP  
77 West Wacker Drive  
Suite 3100  
Chicago IL 60601  
Tel: (312) 456-8413  
*Counsel for Defendant Albertsons LLC*

SO ORDERED this 21st day of April,  
2023.

/s/Dan Aaron Polster

Hon. Dan Aaron Polster  
United States District Judge